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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

Devonte Okeith Mathis,

Defendant.

CR-21-02714-001-TUC-RM (MSA)

GOVERNMENT'S THIRD MOTION TO
EXTEND COURT ORDER PREVENTING
PIMA COUNTY MEDICAL EXAMINER'S
OFFICE FROM RELEASING
DOCUMENTS

The Court granted the United States' initial motion to preclude the Pima County Medical Examiner's Office from releasing reports and other documents created in connection with two autopsies relating to this case for a period of 180 days on November 5, 2021. (Doc. 16.) On October 28, 2022, the Court extended that order for a second time for an additional 180 days. (Doc. 43.) The current order is set to expire on April 26, 2023.

The United States hereby moves to extend the Court's prior order for an additional period of 180 days.

As the Court is aware, Defendant Devonte Okeith Mathis pled guilty on March 15, 2023 to one count of Conspiracy to Possess with Intent to Distribute Marijuana and one count of Using and Carrying a Firearm During and in Relation to a Drug Trafficking Crime,

1 and Possession of a Firearm in Furtherance of a Drug Trafficking Crime. (Docs. 60, 61.)
 2 Those charges were based in part on events occurring in Tucson, Arizona, on October 4,
 3 2021, that resulted in the death of a Special Agent and another individual, D. T. The Pima
 4 County Medical Examiner's Office performed autopsies on the deceased individuals
 5 related to this investigation and produced reports and other documentary evidence
 6 associated with these autopsies. Sentencing is set for May 24, 2023. (Doc. 60.)

7 This case has received extensive media coverage (including the change of plea
 8 hearing). There are strong privacy interests at stake, particularly for the decedents' family
 9 members. And while the defendant has pled guilty, the current order will expire before the
 10 sentencing date. It theoretically remains possible that any autopsy reports may ultimately
 11 need to be resolved by a jury, such that dissemination could taint the jury pool.

12 Undersigned counsel has informed counsel for the defendant, Stephanie Meade, of
 13 this motion. She does not object.

14 Accordingly, the United States respectfully requests that the Court enter an order
 15 restraining any member of the Pima County Medical Examiner's Office from releasing any
 16 documents to include the official autopsy reports of the decedents in this case for an
 17 additional period of 180 days.

18 Respectfully submitted this 14th day of April, 2023.

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 20 GARY M. RESTAINO
 United States Attorney
 District of Arizona

21
 22 *s/ Lindsay L. Short*
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 KEITH VERCAUTEREN
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 25 CERTIFICATE OF SERVICE

26 I hereby certify that on or about April 14 2023, I electronically transmitted the
 27 attached document to the Clerk's Office using the CM/ECF System for filing and
 28 transmittal of a Notice of Electronic Filing to the following CM/ECF registrant(s):
 Stephanie Meade – Attorney for Devonte Okeith Mathis.